

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 3:14-CR-050-MMD-(WGC)
JAMES DAVID HARWIN,)
Defendant.)

FINAL ORDER OF FORFEITURE

On February 2, 2015, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); and Title 26, United States Code, Section 5872 with Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant JAMES DAVID HARWIN to the criminal offense, forfeiting the property set forth in the Amended Plea Agreement and the Forfeiture Allegations of the Indictment and shown by the United States to have the requisite nexus to the offense to which defendant JAMES DAVID HARWIN pled guilty. Indictment, ECF No. 13; Amended Plea Agreement, ECF No. 60; Change of Plea, ECF No. 61; Preliminary Order of Forfeiture, ECF No. 64.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from February 5, 2015, through March 6, 2015, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 70.

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); Title 26, United States Code, Section 5872 with Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

1. a Cobray/SWD pistol, Model M-11, 9mm caliber, with an obliterated serial number;
 2. a Smith & Wesson revolver, Model Bodyguard, .380 caliber, bearing serial number KBK3790;
 3. a Beretta pistol, Model BU9 Nano, 9mm caliber, bearing serial number NU106541;
 4. a Heckler & Koch pistol, Model USP Elite, .45 caliber, bearing serial number 25-084373;
 5. an unknown manufacturer machinegun, Model MAK-90, 7.62 x 39mm caliber, which had the serial number and other identification required by Chapter 53 of Title 26 obliterated;
 6. an Olympic Arms, Model SGW CAR-AR, serial number Z7073;
 7. a Sten 9 mm machinegun without a serial number;
 8. a Street Sweeper shotgun, serial number 8069;
 9. a Glock Model 19C with a machinegun conversion attachment, with an obliterated serial number;
 10. and any and all ammunition.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
2 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
3 income derived as a result of the United States of America's management of any property forfeited
4 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

5 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
6 certified copies to the United States Attorney's Office.

7 DATED this ____ day of _____, 2015.

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UNITED STATES DISTRICT JUDGE
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